

The Gazette of India



EXTRAORDINARY

PART I—Section 1

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MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 9th February, 1957

SUBJECT:—*Submission of applications for import of goods, both as an established importer and actual user.*

No. 7-I.T.C.(P.N.)/57.—Attention is invited to Public Notice No. 48-I.T.C.(P.N.)/56, dated 1st November, 1956, wherein it was decided that an established importer cum manufacturer would be entitled to claim a licence only in one capacity as indicated below:—

- (a) If an established importer of a commodity is also the manufacturer of a product in the process of the manufacture of which that commodity is required, the established importer cum manufacturer would be entitled to claim a licence only in one capacity either as an established importer or as actual user and not both.
- (b) If an established importer of a finished product and/or its components is himself or through his associate concern engaged in the manufacture of that product and/or components as an actual user, the actual user and his associate concern(s) will surrender their quotas for the finished product and/or its components as an established importer, provided that in exceptional cases where the commencement of production is likely to be delayed, they will be allowed to claim quota licences till the production has actually commenced.

From a number of representations received from the parties affected by the said Public Notice No. 48-I.T.C.(P.N.)/56, dated 1st November 1956, it is felt that further clarification is necessary to define the scope of the application of the provisions of the Public Notice. The position is clarified below:—

- (i) Cases in which the established importer cum manufacturer has a quota for a commodity which is also required as a raw material for use in the manufacture of a finished product.—(a) If the raw material falls under a S. No. or sub S. No. as the case may be which covers only one item, the established importer cum manufacturer shall surrender his claim for a licence for the raw material in one capacity i.e., as an established importer or actual user.
- (b) If the raw material falls under a S. No./Sub. S. No. which covers more than one item, the established importer cum manufacturer will be allowed to claim in addition to an actual user licence, quota licence to import only such other items falling under the particular S. No./Sub-S. No. as are not covered by the Actual User licence. In such cases only the past imports of admissible items will be taken into account for the grant of a quota licence.

- (ii) *Cases where the manufacturer of a finished product has in his own name or in the name of his associate concern/(s) a quota for that product.*—In such cases if the manufacturer is engaged in the manufacture of only a particular type/(s) of the product, he or his associate concern/(s) will be entitled to claim a quota licence for import of such other type/(s) of the product as are not included in his manufacturing programme and only his past imports of such other type/(s) of the product will be taken into account to determine his or his associate concern/(s) quota entitlement.
- (iii) *Cases where the manufacturer of a finished product has in his own name or in the name of his associate concern/(s) a quota for the components of the finished product.*—In such cases the manufacturer and his associate concern/(s) will be entitled to claim a quota licence for such components as are (a) not covered by his actual user licence and (b) not covered by his manufacturing activities. Only the past imports of admissible components will be reckoned for the grant of quota licences for components in such cases and the quota would be subject to revision consequent on the expansion of the manufacturing activities.

The above principles would be followed with regard to grant of quota licences when goods imported against quota licence are required for stock and sale. However, in cases where the goods sought to be imported against quota licence/(s) are required for servicing/repairs, the quota licence/(s) would be validated on *ad hoc* basis in the discretion of the licensing authority to meet the servicing/repairs requirements.

There may be certain other type of cases where the importer *cum* manufacturer holds a quota certificate for machinery/equipment/ accessories and he may require the same goods for installation of a factory or for replacement purposes thereafter. In such cases the established importer *cum* manufacturer would have the option to claim either the quota licence or an Actual User licence (including C.G./H.E.P.)^u.

SUBJECT.—*Import of Liquor Hydrogen Peroxide under licences for Drugs and Medicines during January—June 1957 licensing period.*

No. 8-I.T.O.(P.N.)/57.—Attention of importers is invited to List I of Appendix XIX to the Red Book for January—June 1957 licensing period relating to the import of drugs and medicines falling under S. No. 87 and 109 of Part IV.

The following entry may be deleted from the said list I of Appendix XIX:

“Liquor Hydrogen Peroxide”.

S. N. BILGRAMI,
Jt. Secy. to the Government of India.